

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

John B. Herron,

Plaintiff,

vs.

Andrew Saul Commissioner  
of Social Security,

Defendant.

CIV. 20-4080-VLD

**ORDER GRANTING  
ATTORNEY FEES AND  
EXPENSES TO PLAINTIFF**

Plaintiff moves for an award of attorney fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). The Defendant has not objected. Therefore, it is

ORDERED that the Commissioner will pay to Plaintiff reasonable attorney fees in the amount of \$9,772.07 (representing \$9,175.65 in attorney fees and \$596.42 in South Dakota sales tax) and \$22.80 in EAJA expenses for postage.

IT IS FURTHER ORDERED that if it is determined upon effectuation of the Court's EAJA fee Order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, the fees will be made payable to Plaintiff's attorney. If there is a debt owed under the Treasury Offset Program, the remaining fee after offset will be paid by a check made out to Plaintiff, c/o the Plaintiff's Attorney, and delivered to the attorney.

Dated this 20<sup>th</sup> day of April 2021.

BY THE COURT:

  
VERONICA L. DUFFY  
United States Magistrate Judge